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Wendy A. Frick

Signed:

Wendy A. Frick

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
Montano, et al.

) Examiner: Not yet assigned

Serial No.: 09/972,758

) Group Art Unit: 1645

Filed: October 5, 2001

For: **SUPPRESSORS OF HUMAN BREAST  
CANCER CELL GROWTH**

) Attorney Docket No.: 27708/04004

Assistant Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

In response to the Notice to File Missing Parts dated November 1, 2001, applicants respectfully submit the enclosed executed Declaration and Power of Attorney, Statement Regarding Sequence Listing, Paper Copy of Sequence Listing, and Computer Readable Form (CRF) of Sequence Listing. Also enclosed is a Petition for Extension of Time Under 37 CFR 1.136(a). A check in the amount of \$435.00 is enclosed as payment of the basic filing fee and appropriate surcharge. A check in the amount of \$306.00 is enclosed as payment of the additional claims fees. A check in the amount of \$55.00 is enclosed as payment for the one month extension of time. A copy of the Notice to File Missing Parts received from the Patent Office is also enclosed.

If additional fees are required please charge them to our Deposit Account No. 03-0172. Please credit any overpayment to same Deposit Account. A duplicate of this paper is attached.

Respectfully submitted,

Date:

January 7, 2002

Pamela A. Docherty  
Pamela A. Docherty, Reg. No. 40,591  
(216) 622-8416

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
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WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/972,758	10/05/2001	Monica Montano	27708/04004

CONFIRMATION NO. 4322

24024

CALFEE HALTER & GRISWOLD, LLP  
800 SUPERIOR AVENUE  
SUITE 1400  
CLEVELAND, OH 44114

## FORMALITIES LETTER



\*OC000000007008026\*

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Date Mailed: 11/01/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/31/2002 MWOLDER1 00000045 09972758

FILED UNDER 37 CFR 1.53(b)

01 FC:201	370.00 DP
02 FC:202	252.00 DP
03 FC:203	54.00 DP
04 FC:205	65.00 DP

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- o Total additional claim fee(s) for this application is \$306.
  - \$54 for 6 total claims over 20.
  - \$252 for 6 independent claims over 3 .
- o The oath or declaration is unsigned.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- o The balance due by applicant is \$ 741.
- o This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

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For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
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*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

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